



February 6, 2023

Via ECF

Magistrate Judge Marcia M. Henry
United States District Court
Eastern District of New York
225 Cadman Plaza East, Courtroom 504N
Brooklyn, New York 11201

Re: Calderon v Royal Elite Place Caterers, LLC, et al.
Case No. 1:21-cv-06367-EK-MMH

Letter Requesting Status Conference

Dear Judge Henry:

Our firm, along with the Law Office of Jillian Weiss, represent the Plaintiff in the above referenced matter. We respectfully submit this letter to request a status conference.

The parties in this case attended a *Cheeks* hearing on November 28, 2023. Following the hearing, the parties conferred and revised the FLSA settlement agreement and non-FLSA settlement agreement (“the revised agreements”) and submitted on December 14, 2024 a joint letter requesting an extension to December 20, 2023 to submit the executed agreements. ECF 82. This motion was granted on December 15, 2024. The parties submitted both revised agreements on December 20, 2023. However, they were only partially executed because Emanuel Kataev, Counsel for Defendants Hiaeve, Katanov, and Yonayev, was ill and Plaintiff Calderon was traveling outside of the county. ECF 83, 84. The agreements submitted included notarized signatures from Defendants Aba Cohen and Royal Elite Palace Caterers LLC as well as electronic signatures from Plaintiff Calderon.

Following Plaintiff Calderon’s return to New York, our office obtained her notarized signature and distributed it all Counsel on January 11, 2024. Our office also requested an update from Mr. Kataev on his clients’ signatures, which was unanswered. On January 16, 2024, we requested another update from Mr. Kataev and he informed us that he would be out of the

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country but would obtain and send his clients' signatures by January 26, 2024. On January 25, 2024, our office sent an email asking for an update and received a bounce-back reply stating the Mr. Kataev no longer works for Milman Labuda Law Group PLLC. Upon receiving this email, we called Milman Labuda Law Group PLLC to ask for the status of the case, but were not given any information. On January 30, 2024, we were able to speak to Mr. Kataev on the phone. He informed us that he would continue to represent his clients and was working to obtain their signatures. Since that conversation, he has obtained two of the three needed signatures.

Given the time that has passed since the parties arrived at an agreement in principle, on November 18, 2022, and then agreed to the revised settlements, on December 14, 2023, we respectfully request a status conference and the Court's assistance in resolving this matter.

Respectfully submitted,

Corinna Svarlien
Staff Attorney
Make the Road New York
Attorney for Plaintiff